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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,143	03/05/2001	Eiji Miyagoshi	YAMAP0749US	5850

7590

08/10/2004

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EXAMINER

WILSON, ROBERT W

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,143

Applicant(s)

MIYAGOSHI ET AL.

Examiner

Robert W Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/2/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

1.0 The application of Miyagoshi et. al. entitled "METHOD AND APPARATUS FOR DECODING" filed on 3/5/2001 with foreign priority based upon PCT/JP99/03766 dated 7/13/1999 was examined. Claims 1-5 are pending.

Claim Rejections - 35 USC § 103

2.0 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.0 **Claims 1-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka (U.S. Patent No.: 5,991,503).

Referring to **Claim 1**, Miyasaka teaches: A decoding device for decoding a bit stream including a plurality of packets (The decoding unit decodes the location of I frames which are in MPEGs based upon a index which has been inserted in the I-frame header per Figs 1-3 or per col. 2 line 46-col. 6 line 67), in which data corresponding to an access unit includes a first data portion and a second data portion (I frame or access unit contains two packets per col. 6 line 18-19 or a first data portion and a second data portion), the decoding device comprising:

A packet regeneration section for receiving a first packet and a second packet following the first packet and the, and when the first packet includes the first data portion and the second packet includes the second data portion, producing a new packet including the data corresponding to the access unit by combining the first data portion and the second data portion (The encoding apparatus or packet regeneration section inserts an index in the header to point out the location of the I frame per Figs 1-3 per col. 2 line 46-col. 6 line 67. The I frame is made up of two packets per col. 6 lines 18-19 or first data portion and a second data portion)

A decoding section for decoding the data corresponding to the access unit (30 per figure 3 decodes and extracts the I frame or access unit) wherein the new packet includes information indicating a length of data corresponding to the access unit (The Index is utilized in conjunction with knowledge relative of length of the packet in order to extract the I frame per Fig 3 and per col. 2 line 46-col. 6 line 67)

Miyasaka does not expressly call for: wherein the new packet includes information indicating a length of data corresponding to an access unit but teaches an index is utilized in conjunction to

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knowledge of length of the packet in order to extract I frames per Fig 3 or per col. 2 line 46-col. 6 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention that utilizing an index in conjunction with knowledge of packet length performs the same function as wherein the new packet includes information indicating the length of data corresponding to an access unit.

In Addition Miyasaka teaches:

Regarding **Claim 2**, wherein the new packet further includes information indicating a presentation time stamp (The examiner takes official notice of inserting a time stamp is well known in the art in when MPEG packets are created per U.S. Patent No.: 5,535,008 as shown in the PTS or DTS which are timestamps as shown in Fig 4D. It would have been obvious to one of ordinary skill in the art at the time of the invention to insert a timestamp in order to compliant with the MPEG standard.)

Regarding **Claim 3**, wherein the packet regeneration section generation a plurality of new packets (The packet generation section shown in Figs 1-3 creates a plurality of new MPEG packets containing indexes which point out the location of the I frames) the decoding device further comprising:

A storage section for storing the plurality of new packets generated by the packet regeneration section (30 per Fig 3)

A read control section for controlling a reading operation of the plurality of new packets from the storage section so as to skip at least one of a plurality of new packets by using the information indicating length of data corresponding to the access unit (60 per Fig 3 performs read control for special reproduction operations. The examiner takes official notice that VCR like functions or special reproduction operations; such as, slow forward are well known art pertaining to MPEGs per U.S. Patent No.: 5,686,965 per col. 1 lines 60-67. It would have been obvious to one of ordinary skill in the art at the time of the invention to extract the I frames utilizing the index in order to perform a special production operation of skip)

Regarding **Claim 4**, wherein the new packet regeneration section generates a plurality of new packets (The packet generation section shown in Figs 1-3 creates a plurality of new MPEG packets containing indexes which point out the location of the I frames) the decoding device further comprising:

A storage section for storing the plurality of new packets generated by the packet regeneration section (30 per Fig 3)

A read control section for controlling a reading operation of the plurality of new packets from the storage section so as to skip at least one of a plurality of new packets from the storage section so

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as to repeatedly read at least one of the plurality of new packets by using the information indicating the length of the data packet corresponding to the access unit (60 per Fig 3 performs read control for reading a the index in a plurality of new packets corresponding the I frame or access unit. It would have been obvious to one of ordinary skill in the art at the time of the invention that utilizing an index in conjunction knowledge of the length of the packet performs the same function as wherein the new packet includes information indicating the length of data corresponding to an access unit.)

Referring to **Claim 5**, a decoding method for decoding a bit stream including a plurality of packets in which data corresponding to an access unit includes a first data portion and a second data portion (The decoding unit decodes the location of I frames which are in MPEGs based upon a index which has been inserted in the I-frame header per Figs 1-3 or per col. 2 line 46-col. 6 line 67. An I frame or access unit contains two packets per col. 6 line 18-19 or a first data portion and a second data portion)

Receiving a first packet and a second packet following the first packet, and when the first packet includes the first data portion and the second packet includes the second data portion, producing a new packet including the data corresponding to the access unit by combining the first data portion and the second data portion (The encoding apparatus first receives an MPEG and inserts an index in the header to point out the location of the I frame per Figs 1-3 or per col. 2 line 46-col. 6 line 67. The I frame is made up of two packets per col. 6 lines 18-19 or first data portion and a second data portion.)

Decoding the data corresponding to the access unit, wherein the new packet including information indicating a length of the data corresponding to the access unit (30 per figure 3 decodes and extracts the I frame or access unit. The Index is utilized in conjunction with knowledge of length of the packet in order to extract the I frame per Fig 3 and per col. 2 line 46-col. 6 line 67)

Miyasaka does not expressly call for: wherein the new packet includes information indicating a length of data corresponding to an access unit but teaches an index is utilized in conjunction to knowledge of length of the packet in order to extract I frames per Fig 3 or per col. 2 line 46-col. 6 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention that utilizing an index in conjunction with knowledge of the length of the packet performs the same function as wherein the new packet includes information indicating the length of data corresponding to an access unit.

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Conclusion

4.0 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

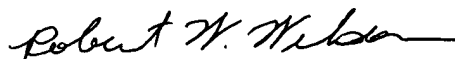
Fukushima et. al. (Patent No.: 5,596,564), dated 1/21/97 discloses a method for reproducing recorded matter in a trickplay mode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W Wilson whose telephone number is (703) 305-4102.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on (703) 305-4703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Robert W Wilson
Examiner
Art Unit 2661

RWW

July 29, 2004



DOUGLAS OLMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600